



Attorney Docket: 128.004

1744

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Irving M Fishman  
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July 7, 2005  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Confirmation No. 9170

Applicant : Frieze, et al  
Appl. No. : 10/070,621  
Filed : Mar. 5, 2002  
FOR : FILTERED GAS PLASMA  
STERILIZATION CONTAINER  
WITH IMPROVED CIRCULATION

Art Unit: 1744  
Examiner: Krisanne Jastrzab

Docket No. : 128.004  
Customer No. :

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT RESPONSIVE TO**  
**OFFICE ACTION DATED JUNE 16, 2005**

Sir:

Responsive to the outstanding final action dated June 16, 2005, in the above-identified application, having a shortened statutory period for response set to expire September 16, 2005, Applicant respectfully requests the following amendment be entered and the claims considered in light thereof.

**Amendments to the Specification** begin on page 3 of this paper.

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**Amendments to the Claims** are reflected in the listing of the claims which begins on page 4.

5 **Remarks/Arguments** begin on page 8 of this paper.

#### **Fee Calculation**

Prior to this amendment, Applicant has paid for a total of 3 independent claims and  
10 52 total claims. Upon entry of this amendment there will be 3 independent claims and  
24 total claims, requiring no extra claim fee.

#### Summary of claim amendments

15 Claims 21-36, 39-42, 55, 64, 73, and 74 were pending.

Claims 27 and 36 are rejected under 35 USC 112.

Claims 21-36, 39-42, 55, 64, and 73-74 are rejected under 35 USC 103 as obvious over  
Deeds (US 5,524,755) in view of Miller (US 5,384,103) and Feldman (US 5,658,529).

Claims 21-36, 39-42, 55, 64, and 73-74 are rejected for obviousness double patenting over  
20 claims 1-28 of US 6,589,477 in view of Feldman.

Claims 21-36, 39-42, 55, 64, and 73-74 are rejected provisionally for obviousness double  
patenting over co-pending application US 10/295,758.

Claims 27 and 36 are currently amended.

No claims are canceled.

25 Claims 21-36, 39-42, 55, 64, and 73-74 are presented for reconsideration.